

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: LITHIUM ION BATTERIES
ANTITRUST LITIGATION

Case No.: 13-MD-2420 YGR

This Order Relates to:

**ORDER DENYING AS PREMATURE
DEFENDANT MAXWELL CORPORATION OF
AMERICA'S REQUEST FOR A SUMMARY
JUDGMENT PRE-FILING CONFERENCE**

**All Direct and Indirect Purchaser
Actions**

Re: Dkt. No. 939

Defendant Maxwell Corporation of America ("MCA") filed a request for a pre-filing conference, seeking to file an early motion for summary judgment on November 18, 2015. (Dkt. No. 939.) Plaintiffs filed a letter opposing the request. (Dkt. No. 947-3.) The Court finds that a pre-filing conference and early summary judgment motion is inappropriate at this juncture, prior to the close of fact discovery, on the grounds raised in MCA's letter. Thus, the request is **DENIED WITHOUT PREJUDICE** as premature.

IT IS SO ORDERED.

Dated: November 16, 2015



**YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE**